

REMARKS

Claims 1-50 are pending in the present application. In the above amendments, claims 7-10, 13-17 and 21-23 have been amended, claims 1-6, 11, 12, 18-20 and 24-50 have been cancelled, and new claims 51-56 have been added. Therefore, after entry of the above amendments, claims 7-10, 13-17, 21-23 and 51-56 will be pending in this application.

1. Rejection under 35 U.S.C. 112, Second Paragraph

The Examiner rejected claims 4-9, 12-14, 16, 18, 26-28, 30, 34, 37 and 39 as being indefinite. Applicants have amended claims 7-9, 13, 14 and 16, and cancelled claims 4-6, 12, 18, 26-28, 30, 34, 37 and 39. Therefore, Applicants respectfully request the Examiner to withdraw this rejection.

2. Rejection under 35 U.S.C. 103(a)

The Examiner rejected Claims 1-50 as being allegedly unpatentable over U.S. Patent No. 6,252,862 issued to Sauer et al. (Sauer) in view of U.S. Patent Application no. 2002/0093931 by Dalal. Applicants respectfully respond to this rejection.

Applicants respectfully submit that none of the references discloses the Applicants' invention as now claimed. Specifically, while applicants agree with the Examiner that Sauer does not disclose frame selection, Applicants submit that Dalal does not disclose the Applicants' claimed frame section system and method either.

Specifically, Dalal does not disclose a "selector entity" that receives frame selections from a first access point (base station) when a first threshold is reached, monitors frame selection by the first access point, informs a second access point (base station) to send its frame selections to the selector entity, assumes frame selection when a second threshold is reached, informs the second access point to propose frame selections, determines whether the proposed frame selections are within a predetermined correctness threshold, and, if so, causes the second access

point to assume frame selection, thereby handing off a mobile station between frame selectors, as opposed to between base stations, without losing any frame of information.

Therefore, since the references do not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw this rejection.

3. New Claims

Applicants respectfully submit that neither of the references discloses the claimed invention in Claims 51-56.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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